IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.31294 of 2008
PAWAN KUMAR JHA
Versus
THE STATE OF BIHAR
---

2 6.8.2008 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner has been made accused under Sections 406 and 420 of the Indian Penal Code.

Allegation against him is that two Cheques of Rs 21,000/- and 20,000/- were given by him to the complainant which has bounced due to insufficient amount in his account.

Learned counsel for the petitioner submits that allegation is not correct. Further submission is that the complainant during the course of investigation could not produce original Cheques allegedly given by petitioner to him, before the Investigating Officer which has been stated in paragraph-51 of the case diary.

Learned counsel for the State submits that the case is of bouncing of Cheques.

In the facts and circumstances of the case, I direct the petitioner namely, Pawan Kumar Jha, to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Krishna Kumar, J.M. Ist Class, Patna in connection with Kadam Kuan P.S. Case No. 220 of 2001 with further condition that petitioner should give undertaking before the trial court on oath that he will deposit a demand Draft of Rs. 41,000/- drawn in favour of the complainant within four months

WEB COPY
NOT OFFICIAL

from the date of release. Encashment of the Demand Draft will be subject to result of the trial. It is, however, made clear that if the petitioner fails to deposit the Demand Draft as per his undertaking within the specified period then his bail bond will be cancelled by the Judicial Magistrate concerned.

P.K. **(Dr. Ravi Ranjan, J.)**

WEB COPY NOT OFFICIAL